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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,372	04/16/2004	Howard E. Rhodes	M4065.0105/P105-C	8394
24998	7590	09/29/2005	EXAMINER	
<b>DICKSTEIN SHAPIRO MORIN &amp; OSHINSKY LLP</b> 2101 L Street, NW Washington, DC 20037				NGUYEN, TUAN H
ART UNIT		PAPER NUMBER		
		2813		

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	87
	10/825,372	RHODES, HOWARD E.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tuan H. Nguyen	2813	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 July 2005.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 200-209 is/are pending in the application.
- 4a) Of the above claim(s) 124-137 and 170-188 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 200-209 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 200-204, 206, 209 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada et al..

Yamada, figs. 4-5 and related text on col. 4-6 discloses the claimed method for forming a photosensor comprising excavating a trench by anisotropically etching the semiconductor substrate (fig. 5(e)-5(f)); performing a first and second implantation into the vertical internal surface region and the bottom surface region of the trench at first and second implantation angle (fig. 5(g)-5(j) and related text in col. 5-6, paragraph (3)-(5)).

With respect to claim 201, col. 6, paragraph (5) teaches the second implantation to the inside of the trench in a rotating manner that includes orthogonal angle to the first implantation.

With respect to claims 203, 204, col. 6, lines 12-14 discloses the formation of silicon dioxide above the vertical internal surface region.

With respect to claim 206, col. 5, line 62 discloses the use of PSG film 309 above the vertical internal surface region.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 205, 207, 208 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. in view of the admitted prior art.

Yamada, figs. 4-5 and related text on col. 4-6 discloses the claimed method for forming a photosensor except the use of BPSG or BSG as a passivation layer and CMP for a subsequent step of forming contact and wiring.

However, in paragraphs bridging pages 16-17, applicant clearly admitted that BPSG, PSG, or BSG are well-known material for use in passivating the device and CMP is a well-known process for planarizing in the final steps of forming contact and wiring.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the well-known BSP or BPSG material and CMP process in forming contact and wiring as admitted as prior art in Yamada et al. process for completing the device as in the instant claimed invention.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kobayashi teaches the step of implanting ions into the vertical

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surface and bottom regions of the trench to form region 7 as shown in fig. 4D. Also note that the first and second implantations, and first and second implantation angles could be considered as a single implantation at the same angle.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 200-209 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is 571-272-1694. The examiner can normally be reached on 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead Jr. can be reached on 571-272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Tuan H. Nguyễn  
Primary Examiner  
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